Attorney Docket No.: Q96967

AMENDMENT UNDER 37 C.F.R. § 1.111

Application No.: 10/598,688

REMARKS

This Response to the Office Action mailed August 24, 2009 is believed to fully address each and every issue raised in the Action. A favorable reconsideration of the application is respectfully requested. Upon entry of the above amendment, claims 1-8 and 11 will be all the claims pending in the application.

Formal Matters and Claim Status

Applicants point out that in the Office Action Summary, the Examiner indicated that claims 1-8 and 11 are objected to; however, it appears that the Examiner meant to indicate that claims 1-8 and 11 are allowed as indicated on page 3 of the Action.

Claims 9 and 10 have been canceled.

Response to 35 U.S.C. § 103 and Nonstatutory Obviousness-type Double Patenting Rejections

On page 2 of the Action, claims 9 and 10 are rejected under 35 U.S.C. 103(a), as being unpatentable over Pracht (US 4,081,384).

On page 3 of the Action, claims 9 and 10 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 4 of U.S. Patent No. 7,491,840 ('840), assigned to Mitsui Chemicals.

Without conceding the merits of these rejections, claims 9 and 10 have been canceled thereby rendering the 35 U.S.C. § 103(a) and nonstatutory obviousness-type double patenting rejections of claims 9 and 10 moot.

On page 3 of the Action, the Examiner indicates that claims 1-8 and 11 are allowed; accordingly, Applicants submit that the instant application is now in condition for allowance.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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John T. Callahan Key. No. 33,725

SUGHRUE MION, PLLC John T. Callahar

Telephone: (202) 293-7060 Registration No. 32,607

WASHINGTON OFFICE

23373
CUSTOMER NUMBER

Date: November 23, 2009

Facsimile: (202) 293-7860